

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 7, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN K. HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Hearing Review for the vacant or abandoned buildings located at 901 West McWilliams Avenue Units 101-104, 106, 201-202, 205-206, 301-306, 401-406, 501-505, 601-606, 701-702, 704-706, 801-803, 806, 808-810, 902-904, 906-907, 1001 West McWilliams Avenue, 840 West Bonanza Road and 920 West Bonanza Road. PROPERTY OWNER: LAS VEGAS APARTMENT LENDERS LLC - Ward 5 (Barlow)

Fiscal Impact☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

The subject property was determined to be substandard, dangerous and declared a public nuisance as defined in Las Vegas Municipal Code (LVMC), Title 9.04.020, LVMC 16.08 and 16.31. Notice and Orders Regarding Vacant or Abandoned Dangerous Building and Dangerous Building Demolition were mailed to the property owners to correct the violations. Today's hearing is a final review regarding the status of violations from the public hearing item on August 5, 2009 and review hearing on September 2, 2009.

RECOMMENDATION:

Review status of violations listed in the Revised and Re-Recorded Notice and Order Regarding Vacant or Abandoned Dangerous Building and the Revised and Re-Recorded Notice and Order to Abate Dangerous Building Demolition mailed on June 18, 2009. Neighborhood Response recommends a one-year review.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Notice and Orders Regarding Vacant or Abandoned Dangerous Building and Notice and Orders to Abate Dangerous Building Demolition
4. Review Hearing Notification Letters
5. Las Vegas Fire & Rescue Report dated July 14, 2009
6. Agreement of Terms and Conditions dated August 5, 2009

Motion made by RICKI Y. BARLOW to Approve subject to a 90-day review

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Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

NOTE: A previous motion to rescind by BARLOW that carried with WOLFSON and ROSS not voting rescinded BARLOW'S initial motion for a 90-day abeyance, which carried with REESE not voting.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

A videotape was shown, but a copy was not submitted.

DEVIN SMITH, Manager of Neighborhood Response, paraphrased the Purpose/Background section and read the Recommendation section. He added that this case started under the ownership of the Moulin Rouge Development Corporation. The bank, which foreclosed on the property, stepped in and made all the corrections. Staff was pending a structural engineer report on the remaining tower and that the outstanding electrical issues on the exterior be fixed, but, to his knowledge, all these aforementioned issues were complied with. The property is boarded up and staff is requesting a one-year review.

MAYOR GOODMAN stated that this blight does not help COUNCILMAN BARLOW in attracting new businesses and residents to the area. It may be safe and not dangerous, but it is a blight that needs to be restored to an economically viable condition. He could not believe that after ten years, the City is still in the same position of not being able to rid the City of blighted properties. MR. SMITH stated that the City could demolish the property at its expense, and he requested a six-month review instead of one year. The Mayor directed MR. SMITH to obtain an estimate on the cost of demolishing the property and that the City Manager's Office brief the Councilmembers on this property.

MR. SMITH assured the Mayor that he would start the bidding process on the demolition. COUNCILMAN BARLOW said he was under the impression that a demolition cost had already been obtained. MR. SMITH indicated that it changed due to the fire damage.

COUNCILMAN BARLOW indicted that meetings with the residents were held. He questioned how the Treeline condominiums are related. LISA MORRIS HIBBLER, Deputy Director of Neighborhood Services, explained that Treeline condominiums are part of the abatement agreement with OCI and LVAL (Las Vegas Apartment Lenders). Staff can have a 45-day review instead of a six-month review because of the issues pertaining to Treeline condominiums.

COUNCILMAN BARLOW stated that the owners adamantly expressed an interest in selling the property rather than reinvesting in the property. This greatly concerns him, because it means that

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Ward 5 will be left with a large blighted parcel. He would prefer to have it demolished. MS. MORRIS HIBBLER clarified that the current owners are investors and have no intentions of developing the property. They want to put the minimal amount of money toward the property and sell it. Staff will monitor the situation.

MS. MORRIS HIBBLER explained that the Treeline complex consists of 59 condominium units that have deteriorated. Staff is working with the City Attorney's Office on how to deal with the single occupant.

COUNCILMAN BARLOW was adamant about expeditiously ridding Ward 5 of this blight; therefore, he directed staff to obtain estimates on demolishing the building.

After the initial motion was rescinded, ATTORNEY JORY SHOELL, Snell and Wilmer, representing LVAL, apologized for not being present earlier, but his flight was delayed. He stated that LVAL has been cooperative with the City in addressing several safety issues and has complied with the stipulations of the agreement. There is an outstanding matter with regard to certain occupants in the Treeline complex.

MAYOR GOODMAN advised ATTORNEY SHOELL that the consensus among the Councilmembers is that it will not tolerate blight in the community. MR. SHOELL explained that the first offer of purchase fell through because the buyer was unable to obtain financing. LVAL would like to sell to a long-term buyer. The Mayor advised him that the new proprietor will not be allowed to keep the property in the same condition.

COUNCILWOMAN TARKANIAN asked if the videotape shown depicts the current state of the property. ATTORNEY SHOELL replied that the building was boarded up, the property cleaned up, the swimming pool was filled in and the weeds were removed for safety purposes.

COUNCILMAN BARLOW made it clear that this property is considered a blight with a long history of problems to the community. He stood by his direction to Neighborhood Services staff to obtain estimates on the cost of leveling the structures, for which LVAL might be assessed, for the safety and security to the surrounding community.

MAYOR GOODMAN declared the Public Hearing closed.